

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JANET BAKER and JAMES BAKER,)
Plaintiffs,)
v.) Civil Action No. 09-10053-PBS
)
GOLDMAN SACHS & CO.,)
GOLDMAN SACHS GROUP, INC., and)
GOLDMAN SACHS & CO., LLC)
Defendants.)

ROBERT ROTH and PAUL G. BAMBERG,)
Plaintiffs,)
v.) Civil Action No. 10-10932-PBS
)
GOLDMAN SACHS & CO.,)
Defendant and)
Third-Party Plaintiff,)
v.)
JANET BAKER and JAMES BAKER,)
Third-Party Defendants)

ORDER RE: BILL OF COSTS

JUNE 3, 2015

Saris, U.S.D.J.

Plaintiffs, Robert Roth and Paul G. Bamberg, oppose the Bill of Costs submitted by defendant, Goldman Sachs & Co. (Goldman) (Document #549). Among other things, they contest the request that the Roths pay for half the cost of the depositions even though they were precluded by the Baker plaintiffs from

questioning witnesses. (Document #552) The Bakers join the Roth plaintiffs in their objection to the Bill of Costs but disagree with their position with respect to Goldman's deposition transcript costs. While plaintiffs properly objected to a lack of documentation of Goodman's costs, that deficiency has since been cured.

Pursuant to 28 U.S.C. § 1920, I rule as follows:

1. The Roth plaintiffs need not pay the deposition transcript costs for any depositions in which they were precluded from asking any questions. Otherwise the costs shall be shared equally. While the relationship between the Roths and the Bakers was more acrimonious over the course of the trial, the evidence in support of all of the plaintiffs' cases substantially overlapped.
2. The Court allows costs for copies at \$.10 per page, the rate allowed in the First Circuit. (Color copies were not necessary)
3. The Court allows costs for three copies of only those exhibits introduced, sought to be introduced, or actually used at trial. The costs of deposition transcripts of witnesses are allowed.
4. Otherwise, the objections are **DENIED**.

/s/ PATTI B. SARIS
Patti B. Saris

Chief Judge